IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 20279 of 2007(L)

PETITIONER:

P.SUBAIR, S/O. ANDRU,
BUILDING NO.VI/225-B, CHALISSERY,
PALAKKAD DISTRICT, NOW RESIDING AT PADINJARE
ELLATH HOUSE, P.O.KAYAKKODI, KOZHIKODE DISTRICT.

BY ADV. SRI.T.K.KUNHABDULLA

RESPONDENTS:

INTELLIGENCE OFFICER,
INTELLIGENCE SQUAD NO.1,
COMMERCIAL TAXES, PALAKKAD.

BY ADV. SHRI.C.K.GOVINDAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 20279 of 2007

Dated, this the 5th day of July, 2007

J U D G M E N T

Even though petitioner has claimed that the goods seized by the department from the Railways belong to him, learned Government Pleader reported that petitioner is only a name lender and goods are not consigned in the name of the petitioner. I do not think that this Court can interfere in the matter because documents produced by the petitioner himself shows that goods were sent in the name of other persons, whom petitioner says are his employees. I make it clear that department should proceed in accordance with the statute. Petitioner is free to file claim petition. If petitioner files any claim petition, then there will be direction to the respondent to pass orders thereon before sale of goods, if goods are not already sold. This WP(C) is closed as above.

Issue photocopy of this judgment today itself.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg